

LETTER TO THE HONORABLE
NAOMI REICE BUCHWALD,
dated January 7, 2025

Exhibit E

Jerome Lhote - May 16, 2024

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

)
MATTHEW STEIN and JEROME LHOTE,)

)
Plaintiffs,)

)
- against -)

)
SKATTEFORVALTNINGEN,)

)
Defendant/Counterclaim-)
Plaintiff,)

)
- against -)

)
LUKE MCGEE,)

)
Counterclaim-Defendant.)

Case No.

1:23-cv-02508-NRB

VIDEOTAPED DEPOSITION UNDER ORAL EXAMINATION OF
JEROME LHOTE

DATE: May 16, 2024

REPORTED BY: CHARLENE FRIEDMAN, CCR, RPR, CRR

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2 (Pages 2 to 5)

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<p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p>TRANSCRIPT of the deposition of the JEROME LHOTE, called for Oral Examination in the above-captioned matter, said deposition being taken by and before CHARLENE FRIEDMAN, a Notary Public and Certified Court Reporter, a Registered Professional Reporter, and a Certified Realtime Reporter, at HUGHES, HUBBARD & REED, LLP, One Battery Park Plaza, New York, New York, on May 16, 2024, commencing at approximately 9:06 in the morning.</p>	<p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p style="text-align: center;">I N D E X</p> <p>WITNESS NAME JEROME LHOTE</p> <p>By Mr. Weinstein 7, 89 By Mr. Levy 85</p> <p style="text-align: center;">* * * * *</p> <p style="text-align: center;">E X H I B I T S</p> <p>EXHIBIT NO. DESCRIPTION PAGE 19 Meeting minutes 46 17 E-mail chain 51</p> <p style="text-align: center;">* * * * *</p>
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<p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p>A P P E A R A N C E S:</p> <p>MCKOOL SMITH 1301 6th Avenue 32nd Floor New York, New York 10019 (212) 405-9400 BY: DANIEL LEVY, ESQ. Attorneys for Matthew Stein, Jerome Lhote</p> <p>HUGHES, HUBBARD & REED, LLP One Battery Park Plaza New York, New York 10004 (212) 837-6000 BY: MARC WEINSTEIN, ESQ. KIRAN ROSENKILDE, ESQ. NEIL OXFORD, ESQ. Attorneys for Skatteforvaltningen</p> <p>NELSON, MULLINS, RILEY & SCARBOROUGH 330 Madison Avenue 27th Floor New York, New York 10017 (212) 413-9000 VIA ZOOM BY: DANIEL NEWMAN, ESQ. EDGAR NEELY, ESQ. Attorneys for Luke McGee</p> <p>ALSO PRESENT: DIMITRY ZVONKOV, Video Operator BY ZOOM: DUSTIN P. SMITH MIKKEL FAN ANNE SOFIE BITSCH * * * * *</p>	<p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p style="text-align: center;">- - - Deposition Support Index - - -</p> <p>Direction to witness not to answer Page Line None</p> <p>Request for production of documents Page Line None</p> <p>Questions marked Page Line None</p>

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1 Merkensteijn. It's M-E-R-K-E-N-S-T-E-I-J-N,
 2 the Third, actually, if you want the full.
 3 Then Richard Markowitz, so that's
 4 M-A-R-K-O-W-I-T-Z, I believe. Matthew Stein,
 5 Stein, S-T-E-I-N, and myself, Jerome Lhote.
 6 Q Who were the principals or partners
 7 of Maple Point?
 8 A Matthew Stein, myself, Jerome
 9 Lhote, and Luke McGee.
 10 Q Okay. We're going to hand you what
 11 were marked at Mr. Stein's deposition as
 12 Exhibits 10A and 10B.
 13 A Okay.
 14 Q So looking first at Exhibit 10A, is
 15 that an Affidavit of Confession of Judgment
 16 that you signed?
 17 (Witness reviewing.)
 18 A Yes.
 19 Q When did you sign it?
 20 A On May 28, 2019.
 21 Q Did you understand that you were
 22 signing that affidavit pursuant to a
 23 settlement agreement that you and others had
 24 reached with Skat on May 28, 2019?
 25 A Yes.

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1 Q At the time you signed this updated
 2 Affidavit of Confession of Judgment, did you
 3 believe it was enforceable?
 4 A I don't recall whether or not I
 5 believed at the time, I mean, whether it was
 6 enforceable. If I signed it, probably, yes.
 7 Q Okay. Do you recall having a
 8 different view of this updated Affidavit of
 9 Confession of Judgment when you signed it
 10 than you had when you signed the original
 11 one?
 12 A I remember that I had to modify the
 13 document to mention I was a Florida resident.
 14 Q So at the time you signed this
 15 updated affidavit, you were then living in
 16 Florida?
 17 A Correct.
 18 Q All right. And at the time you
 19 signed the updated affidavit, did the fact
 20 that you were living in Florida, in your
 21 view, impact the enforceability of the
 22 document?
 23 A I don't recall that. I was just
 24 made aware that I was informed that it might.
 25 Q So you were -- you were informed

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1 Q At the time that you signed this
 2 Affidavit of Confession of Judgment, did you
 3 believe it was enforceable?
 4 A Yes.
 5 Q Did there come a time when you
 6 believed that this particular Affidavit of
 7 Confession of Judgment was no longer
 8 enforceable?
 9 A I don't recall any -- I mean a
 10 specific amount of time.
 11 Q As of the time that you signed this
 12 Affidavit of Confession of Judgment, you were
 13 living in New York City?
 14 A On the 28th of May 2019, yes.
 15 Q Okay. Now, if you turn to Exhibit
 16 10B --
 17 A Okay.
 18 Q -- is that an updated Affidavit of
 19 Confession of Judgment that you signed?
 20 A It says that, yes.
 21 Q Okay. That's -- on page 4, that's
 22 your signature?
 23 A Yes.
 24 Q When did you sign it?
 25 A It says here June 9, 2021.

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1 that it might impact whether it was an
 2 enforceable document?
 3 A Correct.
 4 Q Do you recall personally informing
 5 anyone at Skat or any representative of Skat
 6 that the affidavit -- the updated affidavit
 7 you signed might not be enforceable?
 8 A I don't recall having ever a
 9 conversation with Skat directly. So if it
 10 had been done, that would have been through
 11 my lawyers, but I don't personally -- never
 12 had any discussion with Skat.
 13 Q Do you know, one way or the other,
 14 if you're lawyers --
 15 A No.
 16 Q -- had such a discussion?
 17 A No, I don't know, one way or the
 18 other.
 19 Q Okay. Did you instruct your
 20 lawyers to have such a conversation with
 21 Skat?
 22 A No, I don't recall having --
 23 instructing them.
 24 Q What about this updated Affidavit
 25 of Confession of Judgment, in your mind, made